

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

U.S. BANKRUPTCY  
E.D. MICHIGAN-DETROIT

2014 AUG 22 P 4:01

CARL WILLIAMS AND HASSAN ALEEM  
Creditors/Objectors,

v

In re:  
City OF DETROIT, MICHIGAN  
AND EMERGENCY MANAGER  
KEVYN ORR  
Debtors/City of Detroit

Chapter 9  
Case No. 13-53846  
Magistrate Judge:  
Steven W Rhode

**AMENDED VERIFIED MOTION TO EXTEND THE TIME AND  
RESPONSE TO THE ORDERS OF MAGISTRATE JUDGE  
STEVEN W. RHODES ISSUED AUGUST 7 AND 13 2014 DOCKET  
NOS. 6584 & 6699**

NOW COMES the creditors/objectors in the above caption and herein this motion duly sworn depose and say that we respond to the ORDER of Magistrate Judge Steven W Rhodes ORDERS issued August 7, 2014 and August 13 to Amend under Fed.R.Civ. Proc. Rule 15 and say the following;

- 1) We/I objected and disagree with the ORDER of Magistrate Judge Steven W. Rhodes and Amend Verified Motion to extend the time and response to his order

cited above, due to it is not enough time to respond and place the creditor at a disadvantage and the court lack jurisdiction and prejudice against the creditors.

2) We creditors/objectors feel like this is a "trial by ambush."

3) The number or section 3(d) of the ORDER "An explanation of why the proposed evidence will not be duplicative of other evidence.

4) The number 3 of section (e) A list of the exhibits to be offered into evidence during the proposed testimony.

5) We need a more definite statement to be able to respond, in accordance to Fed.R.Civ.Proc. Rule 12(e).

6) The Magistrate Judge Steven W Rhode allowed the other creditors such as the union attorneys to file duplicative agreements through i.e. (Stipulated agreements) at least twice. Not to mention the multiple Amendments.

**BRIEF IN SUPPORT OF AMENDED VERIFIED MOTION TO EXTEND THE  
TIME IN AND RESPONSE TO THE ORDERS OF MAGISTRATE JUDGE  
STEVEN W RHODES ISSUED AUGUST 7, AND 13 2014 DOCKET NOS.  
6584 & 6699**

1) We/I objected to the ORDER of Magistrate Judge Steven W. Rhodes, due to the court lacks jurisdiction, however if they legally had jurisdiction it wouldn't be enough time to respond. The creditors received the ORDER, approximately August 9, 2014 and some are still receiving the orders as we respond to this ORDER a creditor/objector called and told creditor/objector Carl Williams they just received their today August 12, 2014 that only give the creditors/objectors (5) days to prepare and respond. See creditors motion for extension of time.

The creditors/objectors are not attorneys and are layman or laypersons that do not have the legal expertise or the staffing of that of an attorney and some of the creditors/objectors need legal assistant and advise and 5 days or less days is not practical, realistic or fair to the creditors without an attorneys and give the debtors the City of Detroit a great advantage. The City of Detroit have attorneys and this wouldn't even be adequate for them with attorneys so how do you expect creditors to response in 5 days are ridiculously and prejudice against the creditors. The normal or usual time limit for bankruptcy is 14 days and

under Federal Rules of Civil Procedure you receive 20 or 21 days. The average citizens also don't have the time or the money to retain an attorney. Most of us are on a fix income and need the time to make a adequate response and financial perpetration as well. These continue sale pressure tactics against the creditors being created the bankruptcy court show bias and place them at a greater disadvantage. Therefore, contravening due process of law of the VI Amendment to assistant of Counsel with the 14<sup>th</sup> Amendment to invoke "equal protection under the law for civil rights as well as criminal rights" under IX Amendment to "The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people." The order violated Article 1 Section 17 of due process of fair and just treatment in the course of investigations and hearing of the Michigan State Constitution. Also to include is "42 USC 1983 deprivation of Civil Rights. The order should be rescinded, withdrawn or vacated and the confirmation hearing should be dismiss.

2) We creditors/objectors feel like this is a "trial by ambush" where the creditors/objectors have given our evidence and strategy to the court before the trial or hearing. That gives the debtor (the city of Detroit) and the hostile witnesses the benefit of doubt and time to rehearse and prepare for the hear-

ing in advance, knowing what the questions are going to be asked and evidence being presented and all out in the public for viewing for everybody to see them. This place creditors/ objectors at even a greater disadvantage. Criminals and others creditors who have trial or hearing at least have the benefit of the element of surprise. This present a bias rigging of the judicial process in favor of the opposing party the emergency manager, Kevyn Orr and the city of Detroit. Therefore, this is a due process and equal protection of Article 1 Section 2 of the Michigan State Constitution and the law of the 5<sup>th</sup> and 14<sup>th</sup> Amendments violation of the Constitution of the United States.

3) The number or section 3(d) of the ORDER "An explanation of why the proposed evidence will not be duplicative of other evidence. We are not sure of what the order is saying or mean here? We need a more definite statement to be able to respond, in accordance to Fed.R.Civ.Proc. Rule 12(e).

This request or statement doesn't make any rational or reasonable sense what evidence is the judge referring to? If it duplicated because two or more people have the same interest that should be expected. If the Magistrate judge Steven W. Rhodes had addressed the issues in the first place in the objections the problems or duplicative issues, as he put it would have been

solved. The court has contravened U.S. Bankruptcy Code Rule 3007-1 in not providing hearings on their previous objections without a legal reasonable cause or explanation. Thus a due process of law violation of the 5<sup>th</sup> Amendment procedural due process and the 14<sup>th</sup> Amendment of equal protection of the law of the Constitution of the United State.

4) The Magistrate Judge Steven W Rhode allowed the other creditors such as the union attorneys to file duplicative agreements through i.e. (Stipulated agreements) at least twice. Also on its face the Plan of Adjustment have been duplicated one through five times (as amendments) and we wouldn't be surprise, if there isn't a six or seventh amendment. We object to the bankruptcy court through the Order demonstrating overwhelmingly bias by even making this statement and number three (3) section (d) should be removed, withdraw, rescinded or stricken from the order and the record.

5) The number 3 section (e) A list of the exhibits to be offered into evidence during the proposed testimony:

- a) We want all of our questions asked to be under oath.
- b) We want the bankruptcy court to subpoena the witnesses to court that is listed in this motion.

We object to the giving questions were everybody can view them and prepare their answers before court and place creditors at a disadvantage. The witnesses we plan on calling so far are the following:

c) We would like call the Emergency Manager Kevyn Orr as a hostile witness. We would asked how many bankruptcy of municipalities have he filed? We would like to asked him if he was familiar with the bankruptcy code and rules? If say yes. We would asked him was he aware that only a elected official or officials of a municipality can file for bankruptcy at the time when he filed for bankruptcy?

Can you name three cities that had filed for bankruptcy and better off and financially stable without any assistant from the state.

Magistrate Judge Steven W. Rhodes

(1) Who filed Chapter 9 bankruptcy for the city of Detroit? (2) What law authorized that person to file? (3) According to the Bankruptcy Code and Rules there are two main reasons for dismissal under 11 USC 930 or 1112 ? What are there? (4) According to your order and opinion you rule that the bankruptcy wasn't fil-

ed in good faith? (5) Why wasn't it dismissed? (6) There were a forum held you chaired and we would like to know what you talked about in its entirety. Did you talk about bankruptcy codes and Rules? (7) What rules and codes? (8) Did you discuss how they may affect the bankruptcy? (9) Did you talk about Public Act 436? (10) What questions were asked in their entirety while at the forum about P.A. 436? (11) There is also evidence that 11 USC 903 and 904 has been contravened so why wasn't this case dismissed? Did you make a legal decision according to the bankruptcy code and rules or a personal one? (7) If so why? (8) What would it take for you to dismiss this case? Are you aware of an Article III judge and its duties?

Former state treasurer Andy Dillon

(1) Mr. Dillon right before you left your position as treasurer you stated that the City didn't need to go to bankruptcy and it was premature what did you mean? (2) What could you have done to prevent bankruptcy? What steps would you have taken to place the City in better financial situation? (3) Do you think that there is other thing that could have been done short of bankruptcy?

Former council woman Joann Watson

(1) Ms Watson while you was on city council did you or any of your colleges

vote on filing for bankruptcy? (2)Was there any discussion on bankruptcy?

(3)Did the Mayor discuss filing bankruptcy with the council members at any

time while you were in office?

Council woman Brenda Jones

(1) Ms. Jones while you was on city council did you or any of your colleges vote  
on filing for bankruptcy? (2) Was there any discussion on bankruptcy? (3) Did the Mayor  
discuss filing bankruptcy with the council members at any time?

Mayor Mike Duggan

(1)There were some email reveal by Robert David with a conversation  
between you and the Governor Snyder in picking an emergency manager. (1)Why  
did you both pick Kevyn Orr? (2) What stood out that made you and the governor  
choose him? (3)Did the governor say he chose Kevyn Orr because he was black? (4)  
What do you think he meant by that? (5) Do you support governor? (6) Do you have  
communities meetings? (7) Do you use the input from the communities? (8)Have you

used any of the suggestions or communities input from these communities meeting?

If yes. What were they? Who suggested or gave ideal, solution to assist solving in solving the problem?

Governor Rick Snyder

(1)There were some email reveal by Robert David with a conversation between you and the Mayor Mike Duggan in picking a emergency manager why did you both pick Kevyn Orr? (2)What did you mean by you need someone or person that was black? (3)What was your purpose of picking someone because they are black? (4) Why did you suggest bankruptcy instead of paying the money the state owed the city? (5) Why haven't you paid the revenue sharing money owed the city of Detroit?(6) Do you believe that governors by their actions and decisions are responsible for the state debts past, present, and future? (7)If the answer is no explained why? (8)Why do you feel that citizens with less money should pay more taxes and the corporations should pay less from your action?

We are submitting some salient document evidence of objections that have been filed. (1) Objection to chapter 9 Bankruptcy filed and endorsed August 22, 2013, (2) Response to the First Amended order regarding eligibility objections notice of hearings and certification, pursuant to 28 U.S.C. Section 2403 (a) & (b). Filed and endorsed September 18, 2013, (3) Objections to notice and confer session regarding certain objections to the Amended Disclosure statement with respect to Amended Plan for the Adjustment of debts of the City of Detroit. Filed and endorsed April 16, 2014.

**REQUESTED RELIEF**

We the creditors request that this case be dismiss because it was not filed in a good faith manner and more to avoid paying debts to Syncora and over ½ Billion dollars in Revenue Sharing money owed to the City of Detroit violations of the bankruptcy codes and rules and also request to be included for the so-called confirmation hearing.

I/We hereby certify that the statements made herein are true and correct to the best of my knowledge and belief, under penalty of perjury and contempt of Court under the laws of the United States of America.

Sign Carl Williamson

Address 10112 Somersel

City, State, & Zip Detroit Michigan 48224

Date 8/22/14

Sign Hassan Al-een

Address 2444 S Taylor

City, State, & Zip Roseville, mich 48206

Date 8/22/14

CARL WILLIAMS AND HASSAN ALEEM  
Creditors/Objectors,  
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In re:  
City OF DETROIT, MICHIGAN  
AND EMERGENCY MANAGER  
KEVYN D. ORR

Debtor/City of Detroit

Chapter 9  
Case No. 13-53846  
Judge Steven W Rhodes

Case No. 14-cv-10434  
Hon. Bernard A. Friedman  
Magistrate Paul J. Komives

**PROOF OF SERVICES**

Carl Williams  
your name, being first duly sworn deposes and

Say that on August 21 2014. We sent a copy of Verified Motion to participate in the confirmation hearing as required by the Order of Magistrate Judge Steven W Rhodes issued August 7 and 13, 2014 Docket No. 6584 & 6699, Upon the concern parties by certified mail at the following address:

City of Detroit  
Corporation Council  
First National Building  
600 Woodward Ave  
Detroit, Michigan 48226

Emergency Manager  
Kenyn Orr  
Coleman A Young Municipal Center  
2 Woodward 11th floor  
Detroit, Michigan 48226

I/We hereby certify that the statements made herein are true and correct to the best of my knowledge and belief, under penalty of perjury and contempt of Court under the laws of the United States of America.

Sign Carl Williams

Dated August 21, 2014